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BET  
9-12-02 3736  
#61 JDS

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Colin DUNLOP  
Serial no. : 10/009,663  
Filed : with an effective filing date of May 15, 2000  
For : MOTION MONITORING APPARATUS  
Group Art Unit : 3736  
Examiner :  
Docket : GRIHAC P38AUS

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED  
AUG 21 2002

## INFORMATION DISCLOSURE STATEMENT

TECHNOLOGY CENTER R3700

Dear Sir:

In connection with this matter, the Applicant hereby attaches one (1) United States Patent Office Form PTO-1449 and copies of the information listed in the enclosed PTO-1449 Form, unless otherwise indicated on such Form.

A concise explanation of the relevance of the newly submitted prior art, as asserted by the Australian authority, is indicated on the attached copy of the Examination Report.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

Michael J. Bujold, Reg. No. 32,018  
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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on August 15, 2002.

By:   
Print Name: Michael J. Bujold

  
11 June 1999

Griffith Hack  
GPO Box 4164  
SYDNEY NSW 2001

Your Ref : TJS:JP:P32864

Examiner's first notification on petty patent application no.28141/99  
by COLIN DUNLOP

Last proposed amendment no.

Dear Madam/Sir,

I have considered the petty patent application and I believe there are lawful grounds of objection to the application. These grounds of objection are:

1. There is no Notice of Entitlement on file.
2. The petty patent specification does not meet the requirements of Section 40(2)(c) of the Patents Act because there are more than three claims. I am therefore only reporting on claims 1 to 3.
3. The invention defined by claims 1-3 is not novel in the light of the following specifications:
  - a) WO 91/15997 (Clinical Technologies). See page 5 lines 1-12.
  - b) GB 2254691 (UK Atomic Energy Authority). See page 4 lines 20-34.
  - c) Derwent Abstract Accession No. 91-228437/31, Class V06, SE 8903300 A (Siivola) 7 April 1991.
  - d) EP 691105 (Instrumentarium Oy). See column 1 lines 20-40 and column 3 lines 18 - 23.
  - e) US 5862803 (Besson et al.) See column 13 line 47 to column 14 line 3.

If you do not make a written response within 6 calendar months of the date of this letter your petty patent application WILL LAPSE.

Within the time limit you may respond by filing a statement of proposed amendments to overcome my objections or by submitting a statement in rebuttal of my objections. Alternatively, if appropriate

circumstances exist, you may respond (but again only within this time limit) by making representations to have the time limit before lapsing reset.

Yours faithfully,

**DAVID MELHUISH**  
Examiner of Patents, Section B5  
Telephone: (02) 6283 2426